

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 02 MAR 2006

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To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing

(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/B2004/051017

International filing date (day/month/year)
26.06.2004

Priority date (day/month/year)
30.06.2003

International Patent Classification (IPC) or both national classification and IPC
H01J61/34, H01J61/36, H01J61/82, H01J61/12

Applicant
KONINKLIJKE PHILIPS ELECTRONICS, N.V.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1b/s(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2004/051017

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2004/051017

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-14
	No: Claims	

Inventive step (IS)	Yes: Claims	
	No: Claims	1-14

Industrial applicability (IA)	Yes: Claims	1-14
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

1 . Reference is made to the following documents:

D1 : DE 101 14 289 A1 (ADVANCED LIGHTING TECHNOLOGIES, INC) 27
September 2001 (2001-09-27)

D2 : US 6 326 721 B1 (SHIPPEE DANIEL P ET AL) 4 December 2001 (2001-12-04)

2 INDEPENDENT CLAIM 1

2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not inventive in the sense of Article 33(3) PCT.

Document D1 discloses (the references in parentheses applying to this document) an electric lamp, a metal-halide-lamp of 350 W power (column 3, line 39) comprising:

- light source capsule (fig. 13a 112)),
- stem portion (fig. 13a),
- strapless mount structure comprising a main frame portion (fig. 13a (115)).

The apparatus of claim 1 differs from that of document D1 in that the strapless mount structure is made from 3 parts, namely the main frame, a first metallic support rod from stem portion to the main frame and a second metallic support rod from the main frame to the dome end portion.

This difference seems not to have any apparent technical effect related to the lamp. It appears more to relate to the manufacturing process of the mount stem itself.

2.2 The 3 part construction is one of the possibilities for manufacturing the mount stem from which the skilled person would select, in accordance with circumstances related to the manufacturing process, without the exercise of inventive skill. The skilled person would therefore regard it as a normal option to choose between the possibilities for producing the mount stem from one or more pieces, according to his needs and production possibilities.

Therefore claim 1 is not inventive.

3 INDEPENDENT CLAIM 8 and 13

- 3.1 The objections raised to claim 1 regarding inventive step apply mutatis mutandis for the corresponding features to claim 8.
- 3.2 The subject-matter of claim 13 is entirely comprised in the subject-matter of claim 1. For those corresponding features, the objections made to claim 1 apply mutatis mutandis to claim 13. As claim 1 is not inventive, claim 13 is not inventive for the same reason.

4 DEPENDENT CLAIMS 2-7, 9-12, 14

Dependent claims 2-7, 9-12, 14 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty or inventive step (Article 33(2) and (3) PCT).

The features present in the dependent claims 2-3 and 9-10 are related to the electrical connection of the light source, connected without a field wire or the strapless mount structure. These features are already known from D2, therefore claim 2-3 and 9-10 are not inventive.

The feature present in the claims 4, 11, 12 and 14 relate to the main frame being at least partially covered by an insulating layer. From D1 (fig. 13a and fig. 13b) it is known to cover the main frame with an insulating layer. Consequently claims 4, 11, 12 and 14 are not inventive.

Remaining claims 5-7 are related to the type of the lamp, being a high pressure lamp. Since nearly every lamp from the claimed type is a high pressure lamp, these claims are not inventive either.